

REMARKS

In the Office Action the Examiner noted that claims 1-30 are pending in the application, and the Examiner rejected all claims. By this Amendment, the specification and claims 1, 11, and 21 have been amended, and new claim 31 has been added. Thus, claims 1-31 are pending in the application. No new matter has been presented. The Examiner's rejections are traversed below, and reconsideration of all rejected claims is respectfully requested.

Objection To the Specification

In item 1 on page 2 of the Office Action the Examiner objected to the Specification, stating that the abstract contained the phrases "such as" and "and the like." The Examiner required correction of these matters.

By this Amendment, the abstract of the specification has been amended. No new matter has been presented. Therefore, the Applicant respectfully requests the withdrawal of the Examiner's objection to the specification.

Information Disclosure Statement

In item 3 on page 2 of the Office Action the Examiner asked the Applicant to submit an Information Disclosure Statement including copies of the applications and patents described in the "Description of the Related Arts" section of the specification.

The Applicant is currently gathering copies of the documents requested by the Examiner, and an Information Disclosure Statement including the same will be submitted as soon as possible.

Claim Rejections Under 35 USC §112

In item 5 on page 3 of the Office Action the Examiner rejected claims 1-30 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Specifically, the Examiner stated that claims 1, 11, and 21 recite the limitation "such as", which "renders the claim vague and indefinite, because it is unclear as to what "such as" signifies in the claims.

By this Amendment, claims 1, 11, and 21 have been amended to remove the cited §112 issues. No new matter has been presented. Therefore, the Applicant respectfully requests the withdrawal of the Examiner's §112 rejections of these claims.

Claim Rejections Under 35 USC §103

In item 7 on pages 3-17 of the Office Action the Examiner rejected claims 1-7, 9-17, 19-27, and 29-30 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,898,836, issued to Freivald et al. (hereinafter referred to as "Freivald") in view of U.S. Patent No. 6,910,071, issued to Quintero et al. (hereinafter referred to as "Quintero"). In item 8 on page 18 of the Office Action the Examiner rejected claims 8, 18, and 28 under 35 U.S.C. §103(a) as being unpatentable over Freivald in view of Quintero, and further in view of U.S. Patent Application Publication No. 2002/0078044, issued to Song et al. (hereinafter referred to as "Song"). The Applicant respectfully traverses the Examiner's rejections of these claims.

Freivald

Freivald discloses a method of monitoring registered sections of registered web site documents in order to detect changes in the registered sections and notify a user of the change (Column 6, Lines 55-67). By only notifying the user of changes to the specific registered portion of the document, the user is not bothered with frequent and irrelevant changes to sections of the document which are not of interest to the user, such as date changes or access counters which are frequently updated (Column 7, Lines 48-54). The monitoring of the changes of the registered sections is accomplished through comparisons of CRC's of the registered sections.

Quintero

Quintero discloses a method of monitoring networked data sources for changes in data content within defined search criteria and providing users with notification of those changes (Column 3, Lines 1-29). This method includes converting the web site documents registered by the user into text only format, excluding HTML tags, and comparing the text only format with a stored text only format to determine if changes have occurred in the document. Specifically, a comparison is done between the number of user specified keywords in the text only formats (Column 5, Line 48 through Column 6, Line 6).

The Present Invention Patentably Distinguishes Over the Cited References

Claim 1 of the present application recites "a keyword extracting unit which extracts one or more keywords from an updating area detected by said event detecting unit; [and] an information searching unit which searches the documents in said registered information collecting destination sites by using the keyword extracted by said keyword extracting unit." In other words, when an updated area is detected, a keyword is extracted from the updated area and a search of other registered information sites is done in regard to the extracted keyword. The Applicant respectfully submits that neither of the cited references, either alone or in combination, discloses or suggests at least these features of claim 1.

The Examiner stated that Quintero discloses the features of claim 1 identified above. However, Quintero merely discloses converting an HTML document into a text only format, and comparing the number of occurrences of the user registered keywords in the text only format to the number of occurrences in a stored text only version of the document. Quintero also enables a search of hyperlinks embedded in the HTML document according to the user registered keywords. However, the comparison of the occurrences of the user registered keywords in Quintero, and the searching of new documents according to the user registered keywords and any embedded hyperlinks, is not tantamount to the extraction of one or more keywords from a detected updating area. It would be easily understood by one skilled in the art that the extraction of the one or more keywords recited in claim 1, one embodiment of which is described in at least Lines 1-7 on page 34 of the present application, is patentably distinguishable from simply identifying keywords that have been registered in advance by a user, which is the procedure disclosed in Quintero. It is understood by one skilled in the art that the extraction of a keyword involves an analysis of a text document, such as a morpheme analysis, to determine the one or more keywords. Such extraction would not be necessary for keywords already registered by a user. Therefore, neither Freivald nor Quintero discloses the extraction of one or more keywords from an updating area.

Further, even assuming *arguendo* that the extraction of the keyword is disclosed in Quintero, there is no search in registered information collecting sites for the extracted keyword. In Quintero, the search is done for the updates in all of the sites registered by the user, and there is no differentiation between event collecting destination sites and information collecting destination sites. In other words, the method in Quintero discloses searching all user registered sites for updates, and then possibly hyperlinked sites within the updated pages, but there are no

registered information collecting sites which are accessed in response to extracting a keyword from an updated area.

Further, as Song merely discloses a system for automatically classifying documents by category using a genetic algorithm and a term cluster, Song does not cure the deficiencies of Freivald and Quintero regarding claim 1.

Therefore, it is respectfully submitted that none of the cited references, either taken alone or in combination, discloses or suggests at least these features of claim 1. For a proper §103 rejection, the cited references must disclose all of the features of the rejected claim. Thus, the Applicant respectfully requests the withdrawal of the Examiner's §103 rejection.

Claims 2-10 depend from claim 1 and include all of the features of that claim plus additional features which are not disclosed or suggested by the cited references. Therefore, it is respectfully submitted that claims 2-10 also patentably distinguish over the cited references.

Further, claims 11 and 21 recite similar features to those discussed in regard to claim 1. As none of the cited references disclose or suggest at least these features, it is respectfully submitted that claims 11 and 21 also patentably distinguish over the cited references.

Claims 12-20 and 22-30 depend from claims 11 and 21, respectively, and include all of the features of those respective claims plus additional features which are not disclosed or suggested by the cited references. Therefore, it is respectfully submitted that claims 12-20 and 22-30 also patentably distinguish over the cited references.

No Motivation To Combine Cited References

Even if the cited references could combine to disclose or suggest the features of the present claimed invention, and the Applicant respectfully submits that they cannot, there would be no motivation for one skilled in the art to combine the references. MPEP § 2142 states that "[w]hen the motivation to combine the teachings of the references is not immediately apparent, it is the duty of the Examiner to explain why the combination of the teachings is proper." Here, the Examiner has simply stated, with no evidence to support the assertion, that it would have been obvious to one skilled in the art to combine Freivald and Quintero "in order to give the user an indication of how significant the change is and reduce the number of change notifications sent to the user and reduce storage requirements." While the Examiner has simply identified the goals of Freivald (Column 3, Lines 49-61) as merits of the combination of the cited references, this provides no actual motivation to combine the two, as the disclosure of Quintero provides would

not help meet any of these stated goals. The Examiner is required to present actual evidence and make particular findings related to the motivation to combine the teachings of the references. In re Kotzab, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000); In re Dembiczak, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999). Broad conclusory statements regarding the teaching of multiple references, standing alone, are not "evidence." Dembiczak, 50 USPQ2d at 1617. "The factual inquiry whether to combine the references must be thorough and searching." In re Lee, 61 USPQ2d 1430, 1433 (Fed. Cir. 2002) (citing McGinley v. Franklin Sports, Inc., 60 USPQ2d 1001, 1008 (Fed. Cir. 2001)). The factual inquiry must be based on objective evidence of record, and cannot be based on subjective belief and unknown authority. Id. at 1433-34. The Examiner must explain the reasons that one of ordinary skill in the art would have been motivated to select the references and to combine them to render the claimed invention obvious. In re Rouffet, 47 USPQ2d 1453, 1459 (Fed. Cir. 1998).

In fact, the Applicant respectfully submits that the disclosure of Freivald actually teaches away from the combination with Quintero. Because, as acknowledged by the Examiner Freivald is concerned with providing the user with an indication of how significant a change is, Freivald allows a user to register only a portion of the web document so as to monitor the change in only that section. This is in direct contrast to Quintero, which converts the entire document to a text only format, and compares the changes throughout. Further, this also obviously goes against Freivald's stated goal of reducing storage requirements, as again Quintero discloses not only storing the entire page, but also storing two versions of the page – one in HTML format and one in text only format. Therefore, not only does Quintero not offer any assistance in reaching the stated goals of Freivald, it actually exacerbates the problems that Freivald is attempting to avoid. "Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art" (MPEP 2143.01). "The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination." In re Mills, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990).

Therefore, the Applicant respectfully submits that there is no motivation to combine the references cited by the Examiner.

New Claim 31

New claim 31 is directed to an information collecting method including "extracting one or more keywords from an updated area of the updated destination site; [and] searching one or more information sites, registered by the user, according to the extracted one or more keywords."

Thus, the Applicant respectfully submits that new claim 31 patentably distinguishes over the cited references.

Summary

In accordance with the foregoing, the specification and claims 1, 11, and 21 have been amended, and new claim 31 has been added. No new matter has been presented. Thus, claims 1-30 are pending and under consideration.

There being no further outstanding objections or rejections, it is respectfully submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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